

corporation for profit doing business in this State and owning and using a part or all of its capital or plant in this State, or as a sleeping-car, freight line, or equipment company, fails or neglects to make any such report or return or to pay any such tax or fee for ninety days after the time prescribed in this act for making such report or return or for paying such tax or fee, the Commission shall certify such fact to the Secretary of State. The Secretary of State shall thereupon cancel the articles of incorporation of any such corporation which is organized under the laws of this State by appropriate entry upon the margin of the record thereof, or cancel the certificate of authority by any such foreign corporation to do business in this State, by proper entry. Thereupon all the powers, privileges, and franchises conferred upon such corporation by such articles of incorporation or by such certificate of authority shall cease and determine. The Secretary of State shall immediately notify such domestic or foreign corporation of the action taken by him.

Powers, privileges and franchise determined.

Notice to corporation.

SEC. 82 (18). Any person or persons who shall exercise, or attempt to exercise any powers, privileges, or franchises under the articles of incorporation or certificate of authority, after the same are canceled, as provided in any section of this act, shall be fined not less than one hundred dollars nor more than one thousand dollars.

Fine for corporate action after cancellation.

SEC. 82 (19). Any corporation whose articles of incorporation or certificate of authority to do business in this State have been canceled by the Secretary of State, as provided in section 82 (17) of this act, upon the filing, within two years after such cancellation with the Secretary of State, of a certificate from the Commission that it has complied with all the requirements of this act and paid all taxes, fees, or penalties due from it, and upon the payment to the Secretary of State of an additional penalty of fifty dollars, shall be entitled to again exercise its rights, privileges, and franchises in this State, and the Secretary of State shall cancel the entry made by him under the provisions of section 82 (17) of this act, and shall issue his certificate entitling such corporation to exercise its rights, privileges, and franchises.

Restoration within two years.

Additional penalty.

Cancellation of entry.

Certificate of restoration.

SEC. 82 (20). In addition to all other remedies for the collection of any taxes or fees due, under the provisions of this act, the Attorney-General shall, upon request of the State Treasurer, whenever any taxes, fees, or penalties due under this act from any public utility or corporation shall have remained unpaid for a period of ninety days, or whenever any corporation or public utility has failed or neglected for ninety days to make or file any report or return required by this act, or to pay any penalty for failure to make or file such report or return, apply to the Superior Court of Wake County, or of any county in the State in which such public utility or corporation is located or has an office or

Remedy by injunction.